

**McELROY, DEUTSCH, MULVANEY
& CARPENTER, LLP**
1300 Mount Kemble Avenue
P. O. Box 2075
Morristown, New Jersey 07962-2075
(973) 993-8100
Attorneys for Plaintiff
The Northwestern Mutual Life Insurance Company

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**THE NORTHWESTERN MUTUAL
LIFE INSURANCE COMPANY,**

Plaintiff,

vs.

**STEVEN LITT and TRACY COPPLE-
LITT,**

Defendants.

C.A. No.: 2:11-cv-6456(WHW)(MCA)

CIVIL ACTION – WAIVER OF SERVICE OF SUMMONS AND COMPLAINT

TO: Valerie G. Pennacchio, Esq.
1300 Mount Kemble Avenue
P.O. Box 2075
Morristown, NJ 09762-2075
973-993-8100
Attorneys for Plaintiff,
The Northwestern Mutual Life Insurance Company

I, Richard Peskin, Esq., on behalf of Ms. Tracy Copple-Litt, acknowledge receipt of your request that I waive service of the summons in an action entitled The Northwestern Mutual Life Insurance Company vs. Steven Litt, et al.

I agree to save the cost of service of the summons and additional copy of the complaint in this lawsuit by not requiring I be served with judicial process in this matter provided by Rule 4.

I understand that a judgment may be entered against me (or the parties on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after November 9, 2011.

Date: 12/2/11

By:


Signature

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.